

**HALIFAX REGIONAL COUNCIL
MINUTES
OCTOBER 17, 2000**

PRESENT:

Mayor Walter Fitzgerald
Deputy Mayor John Cunningham
Councillors: Stephen Streach
Gordon R. Snow
Keith Colwell
Ron Cooper
Harry McInroy
Jack Greenough
Condo Sarto
Bruce Hetherington
Clint Schofield
Jerry S. Blumenthal
Graham L. Downey
Sue Uteck
Sheila Fougere
Russell Walker
Bill Stone
Graham Read
Stephen D. Adams
David E. Merrigan
Robert P. Harvey
Peter J. Kelly
Reg Rankin
Jack Mitchell

STAFF MEMBERS:

Mr. Ken Meech, Chief Administrative Officer
Mr. Barry Allen, Municipal Solicitor
Ms. Barbara Moar, Assistant Municipal Clerk
Ms. Sandra Shute, Assistant Municipal Clerk

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1. **INVOCATION**

The meeting was called to order at 6:00 p.m. with the Invocation by Mayor Fitzgerald.

At a later point in the meeting, Council observed a Minute's Silence for Constable Sigurd Holtan of Halifax Regional Police who passed away on October 14, 2000.

2. **PROCLAMATIONS**

2.1 **Leave a Legacy Week - October 21-29, 2000**

Mayor Fitzgerald proclaimed October 21-29, 2000 as Leave a Legacy Week.

2.2 **Brain Tumor Awareness Month - October, 2000**

Mayor Fitzgerald proclaimed the month of October, 2000 as Brain Tumor Awareness Month.

3. **APPROVAL OF MINUTES - OCTOBER 3, 2000**

MOVED by Councillors Blumenthal and Greenough to approve the Minutes of meeting held on October 3, 2000 as circulated. MOTION PUT AND PASSED.

4. **APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS**

The following items were added to the Agenda:

- 13.1 Oceanview Manor and Seaside Elementary School - Councillor McInroy
- 13.2 Signs on Utility Poles - Councillor Fougere
- 13.3 Subdivision Streets for Paving - Councillor Mitchell
- 13.4 Independent Audit - District 23
- 13.5 Legal Matter - Claim Settlement
- 13.6 Treatment of Churches in HRM re Solid Waste System - Councillor Cooper

The following item was deleted from the Agenda:

Item 11.2.1 - Lease of Lot 1E, Hammonds Plains Road for Children's Safety Village to Kiwanis Club of Bedford

The following Information Items were added:

1. Memorandum from Director, Financial Services dated October 16, 2000 re Diesel Fuel.
2. Memorandum from Chief of Police dated October 17, 2000 re Municipal Rewards for Major Unsolved Crimes

Councillor Kelly requested that Item 1 of the Added Information Items be added to the Agenda for next week re Diesel Fuel.

Councillor Hetherington referred to Information Item No. 8 and asked if Voice Mail Use Guidelines will be implemented through the Management Team. In response, Mr. Meech advised it will be implemented as an internal policy.

Councillor Schofield requested that Item 2 of the Added Information Items be added to the Agenda for next week re Municipal Rewards for Major Unsolved Crime.

Councillor Sarto asked why Item 11.3.2 - Lease of Lot 1E, Hammonds Plains Road for Children's Safety Village to Kiwanis Club of Bedford is being deleted from the Agenda.

Councillor Kelly explained that the Kiwanis Club of Bedford has not had an opportunity to agree to the contract at this time. He expected that the report would be back on the agenda once the Kiwanis Club has reviewed the contract and changes have been made, if necessary.

Council agreed to deal with Item 13.4 - Independent Audit - District 23 before Item 8 - Consideration of Deferred Business.

MOVED by Councillors Downey and Greenough that the Order of Business, Additions and Deletions be approved as amended. MOTION PUT AND PASSED.

5. **BUSINESS ARISING FROM THE MINUTES**

5.1 **HRM Annual Report**

Mr. Meech advised that Councillors had received a copy of the HRM Annual Report which outlines HRM's accomplishments over the past year and what HRM is undertaking during this fiscal year. It was felt appropriate to highlight staff in the first report because staff are the people who deliver the many programs and services to HRM and, without them, the job would not get done. The entire report was prepared in house, except for printing, by Corporate Communications and Shared Services staff. Mr. Meech gave special thanks to Corinne Hartley-Robinson, Nancy Dempsey, Gordon Leaman and John O'Brien.

6. **MOTIONS OF RECONSIDERATION** - None

7. **MOTIONS OF RESCISSION** - None

13. **ADDED ITEMS**

13.4 **Independent Audit - District 23**

- A report dated October 17, 2000 prepared by Price Waterhouse Coopers expressly for and at the request of Halifax Regional Municipality, regarding the above, was before Council for its consideration.

Mr. Pat O'Neill and Ms. Gloria Banks, Price Waterhouse Coopers, with the aid of overheads, provided an overview of the report which included the terms of reference under which Price Waterhouse Coopers were instructed to:

1. Examine Area Rate, District Capital and Discretionary funds spent to determine compliance with HRM Policy and provincial legislation re District 23.
2. Provide Council with relevant facts for consideration of whether or not an inquiry should be sought under the Municipal Conflict of Interest Act.
3. Prepare recommendations on policies and procedures.

Mr. O'Neill then provided information on what the examination entailed.

Subsequently, Ms. Gloria Banks provided an overview of expenditure analysis, Conflict of Interest and other items of significance. Conclusions reached were:

Area Rate Accounts

Each of the reviewed transactions had appropriate supporting documentation and comply with the Municipal Government Act and the definition in the 2000/01 budget. The expenditures appear to meet the criteria of Recreation, Parks, Commissions and Other and are for the benefit of the area in which the rate is charged.

District Capital Funds

All of the transactions making up the District Capital Fund for District 23 have appropriate supporting documentation and appear to comply with the HRM Policy and the Municipal Government Act as required, except for items noted in the report.

Discretionary Funds

All expenditures reviewed had appropriate authorizations and the Discretionary Funds were not overspent.

Conflict of Interest

Based on the information provided, an inquiry pursuant to the Municipal Conflict of Interest Act is not warranted in this matter.

Other Items of Significance

Three items should be addressed immediately:

- (a) No Councillor has the authority to bind the Municipality to a guarantee.
- (b) Providing large advances to a Recreation Committee Treasurer out of Area Rate Funds is not specifically disallowed under any policy or procedure but does not provide for appropriate controls over expenditures, including supporting documentation.
- (c) The Prospect Area Rate Account is currently overspent for the fiscal period ended March 31, 2001 and only six months have expired in this period.

HRM staff are in the process of preparing a policy on the procedures to be implemented over the expenditures from the Area Rate Account. When this document is available, Price Waterhouse Coopers will review the policy and incorporate any recommendations developed from the analysis.

Councillor Mitchell pointed out that there was a \$10,000 over expenditure in one account but a \$15,000 under expenditure in another account. Ms. Banks acknowledged this was so and advised that the net position at the end of the day was not an over expenditure if you can interchange the two accounts.

Councillor Mitchell then thanked the staff of Price Waterhouse Coopers, HRM staff and Councillors, his family, friends and neighbours in his District for having faith in him, in what he did and what he stood for.

Councillor Harvey referred to the recommendations contained in the report and asked for clarification that there would be a subsequent Staff Report that will contain ways to implement the recommendations.

In response, Mr. Meech advised that staff will be following through with the recommendations for changing procedures and controls. Mayor Fitzgerald confirmed there would be a full Staff Report forthcoming.

MOVED by Councillors Greenough and Hetherington to accept and table the report. MOTION PUT AND PASSED UNANIMOUSLY.

8. CONSIDERATION OF DEFERRED BUSINESS

8.1 Area Rate - Supplementary Funding

This item was deferred from the October 10, 2000 meeting of Regional Council.

Councillor Colwell advised that since the School Board has not come before Council to respond to HRM's request to answer questions about the allocation of funds raised through the area rate this year, he went through the budget documents provided by the School Board and would make comments at this time. The Councillor referred to a letter dated October 5, 2000 from the Superintendent of the School Board. The Councillor pointed out that area rated monies are to be used for the purpose for which they are raised and these monies are the direct responsibility of Council. The accountability for these funds is to Council. Councillor Colwell wanted to send a message to the School Board that he wanted the School Board to attend Council and provide a report on these funds.

Councillor Uteck pointed out that the School Board meets on the same night as Council. The Councillor suggested that Mayor Fitzgerald write to the Minister asking that the School Board meetings be changed. She also expressed concern that Council was not informed there was going to be a separate ballot for a separate candidate for an African Nova Scotian School Board member for the municipal election. There were others, such as the Chinese and Jewish communities, who make great contributions and provide great input into the community but do not have a separate vote.

Mayor Fitzgerald agreed to write two letters, one with regard to the School Board meeting date and one with regard to the African Nova Scotian School Board Member.

Mayor Fitzgerald asked if Council wished to put a motion forward regarding Councillor Colwell's concerns. Council members agreed that this was a presentation only and no motion was required.

9. PUBLIC HEARINGS

9.1 Case 00212 - Amendment to the Municipal Planning Strategy and Land Use By-law Atlantic Street, Brussels Street and McLean Street

- Staff Report dated September 21, 2000 prepared for Paul Dunphy, Director of Planning and Development, regarding the above, was before Council for consideration.
- Report dated September 26, 2000 from Peninsula and Western Region Community Council recommending that Regional Council approve the proposed amendments.
- Correspondence was received from Allan Callard - McLean Street, John D. Wade, Fae J. Shaw - Atlantic Street, Frank G. Mason - Atlantic Street and Ronald L. and Joy M. Hanlon - Atlantic Street.

CONFLICT OF INTEREST

Councillor Uteck declared a Conflict of Interest because she is a property owner on one of the said streets.

Clarification was sought, by way of a report from the Municipal Solicitor, as to whether or not it is necessary for a Councillor declaring a Conflict of Interest to actually leave the Chambers or if it was acceptable to sit in the Gallery.

Councillor Uteck subsequently left the Chambers.

Gary Porter, Planner presented the Staff Report to Council.

Councillor Sarto asked for the definition of General Residential zoning. In response, Mr. Porter advised that in the R-2 zone, General Residential means residential development up to four units.

Councillor Fougere asked what would be the implication of excluding spot properties in the rezoning.

Mr. Porter, in response, advised that there would be lots in amongst the rest with different rights. Generally, zoning is applied equally so that everyone has the same rights. Exclusion of some properties would give more rights to these particular people than the rest of the neighbours.

Councillor Fougere asked if the rezoning would preclude individual properties being allowed to be rezoned at a later date. In response, Mr. Porter advised that if the Municipal Planning Strategy is amended to redesignate the area to low density residential, a rezoning to a higher zone such as R-2 or R-2A would not be permitted without again amending the Plan.

Mayor Fitzgerald called for members of the public to speak in favour or against the application.

Mr. Vance Joudrey, 921 Brussels Street raised the following points:

- He bought his property about a year ago with the intention of adding another unit. He was not aware of the process underway to rezone it although he was sent notification of what was being proposed but did not understand his zoning could be changed without his authorization.
- He made an application to make an addition to the property and was granted a permit. During the addition, he wanted to have it changed to two units as opposed to one which resulted in problems with By-law complications. Time limits have run out.
- He requested Council to listen to his request for an exemption on his property in order to be able to continue within the boundaries of planning and development.
- He found it difficult to accept that Council has the authority to change zoning without consultation or authorization.
- He was upset that his plan was stopped in mid-stream.
- Property values will change if zoning is taken away.

Ms. Diane Kenny, 5543 Atlantic Street, speaking in favour of the application, read from prepared text on behalf of her family and other residents on Atlantic and McLean Streets. A number of signatures were included on the prepared text.

Mr. Don Bauld, 932 Brussels Street, speaking in opposition, raised the following points:

- He was appalled that a group could put together a plan for their own interests and ignore the rights of many other property owners who have purchased their properties under a particular set of rules.
- He agreed that rules and regulations should be in place to ensure that development does not get out of hand but surely that was there already. If things have gone on that should not have, you should not go back and punish all the people who purchased within certain parameters.

Ms. Linda Moreash, 924 Brussels Street, reading from prepared text, spoke in support of the application on behalf of a number of residents in the area. Signatures were contained on the prepared text.

Mr. Vance Joudrey came to the podium again wishing to add more to his presentation.

Mayor Fitzgerald asked Council if they wished to hear from Mr. Joudrey again. Council indicated they did not wish to do so.

**MOVED by Councillors Rankin and Hetherington to close the Public Hearing.
MOTION PUT AND PASSED.**

MOVED by Councillors Rankin and Fougere to approve the amendments to the Halifax Municipal Planning Strategy and the Halifax Peninsula Land Use By-law (text and map) as contained in Appendix A of the Staff Report dated September 21, 2000.

With the above motion, Councillor Rankin advised this included changes to zoning to R-1, the height to include the roof and the amount of lot coverage to be reduced from 35% to 30%.

Councillor Rankin explained further that he had visited 921 Brussels Street which was an illustration, as far as he was concerned, of what would happen if the trend was allowed to continue. He acknowledged there were individual rights but the exercise tonight was to balance those individual rights with the collective rights of the neighbourhood. Staff indicated in the report that it would change the character of the community if Council did not do something about density. It would change the character of the presently single family neighbourhood to a more dense neighbourhood that would contain up to four units on a lot.

With regard to 921 Brussels Street and the presenter, Mr. Joudrey, who talked about time lapses, Councillor Rankin said that if Mr. Joudrey could not extend the time, that was not an abuse of process. If Mr. Joudrey could not operate within the rights relative to By-laws, that was not the issue. The issue at this time was what was the proper plan for the neighbourhood.

Councillor Walker asked Mr. Porter if all the 62 residents were in agreement. In response, Mr. Porter advised that not all were in agreement. The three Petitions were signed by about half the property owners. Subsequently, a neighbourhood meeting was held and letters were sent out to everyone else who had not signed the Petitions so that they would be aware. He said it was not unanimous but was a majority.

Councillor Walker said he did not feel he had enough information to make a proper judgement. If he had to vote now, he would vote against the motion until he saw the facts on how many are in favour and against. This was the first chance Council had to look at this matter because it came from Community Council.

MOVED by Councillors Walker and Streach to defer a decision for one week in order to obtain the information required and make a decision. MOTION PUT AND PASSED.

9.2 Noise By-law Exemption Application - Sperry and Partners Limited

- A Report dated September 27, 2000 prepared for K. R. Meech, Chief Administrative Officer regarding the above, was before Council for its consideration.
- At the October 3, 2000 meeting of Regional Council, Council passed a motion to hold a Public Hearing on October 17, 2000 in this regard.

Mr. Austin French, Regional Coordinator, Planning Services presented the Staff Report to Council re Banook Shores Limited.

Mr. Drew Sperry, Sperry and Partners Limited, Architects raised the following points:

- The request was to be able to finish the concrete after 9:30 p.m. Concrete floors are poured in the morning and then finished during the afternoon and evening. If it is a large pour, it could go very late at night.
- There were large pours in Phase I with no complaints but during Phase II there was one complaint for a pour that went almost all night.
- There will be two more pours after a pour tomorrow, neither one of which will be the size of the very late pour. Two could very well go after 9:30 p.m.
- The issue was the machine finishing of the concrete itself.

Mayor Fitzgerald called three times for speakers wishing to speak either for or against the application. Hearing none, the following motion was placed on the floor:

MOVED by Councillors Greenough and Hetherington to close the Public Hearing. MOTION PUT AND PASSED.

MOVED by Deputy Mayor Cunningham and Councillor Schofield to approve the application from Banook Shores for exemption from the provisions of HRM By-law 2000 Respecting Noise in order to finish the concrete pours. MOTION PUT AND PASSED.

Deputy Mayor Cunningham pointed out that no one came forward to speak against the proposal and subsequently made the following motion:

MOVED by Deputy Mayor Cunningham and Councillor Streach to request that staff revisit the By-law with regard to exemptions and also include in the report the following items:

- **Whether or not this type of application can be considered by Community Councils rather than Regional Council or, as an alternative, it be delegated to the Development Officer with an appeal, if necessary, to Community Council.**
- **Consideration of adequate notification in the neighbourhood.**

MOTION PUT AND PASSED UNANIMOUSLY.

10. **CORRESPONDENCE, PETITIONS AND DELEGATIONS**

10.1 **Correspondence and Petitions**

10.1.1 **Councillor Harvey**

Councillor Harvey submitted a letter from William White re concerns with the preservation of a natural corridor along the Bicentennial Highway between Hammonds Plains and Kearney Lake exits. The Councillor requested that the correspondence be circulated and sent to staff for comment and a response.

10.1.2 **Councillor Sarto**

Councillor Sarto submitted a letter from Jane and Mike Latremouille re the Communication Tower at Swanton Drive/BelAyr Park. The Councillor requested that the correspondence be sent to Legal Department for comment and follow up as the original documentation has already been put forward.

10.1.3 **Councillor Streach**

Councillor Streach submitted \$1.00 as payment in full in exchange for the Deed and sale of the former Jeddore School House property - the sale of Centre by the Sea back to the community. The Councillor requested that this \$1.00 be delivered to Finance Department.

10.1.4 **Councillor Merrigan**

Councillor Merrigan submitted a Petition for crosswalk(s) on behalf of residents in the area of Gertrude Parker School, Stokil Drive. The Councillor requested that it be

forwarded to staff for reconsideration as staff had considered the request in 1996 but it was considered not warranted at that time.

10.2 Presentations

10.2.1 Dr. Elizabeth Guillette - Affects of Pesticides

Dr. Elizabeth Guillette made a verbal presentation to Council detailing research carried out with children exposed to Pesticides in towns in a valley in Mexico where pesticide use is a way of life.

11. REPORTS

11.1 Members of Council

11.1.1 Councillor Mitchell - Plowing of Private Roadways

Councillor Mitchell referred to a letter sent to homeowners from Department of Transportation and Public Works re plowing of private roadways and Department of Transportation's requirement that brush be cut back to allow passage of the plows, without damage to the plow or the plants. The Councillor requested clarification on this matter and, as well, a staff report on how the approximately 11 private roads in his District can be taken over.

MOVED by Councillors Mitchell and Sarto that this matter be referred to staff for a report. MOTION PUT AND PASSED.

On a related subject, Mr. Meech advised that the meeting with MLAs to discuss the issue of the agreement with Department of Transportation has been cancelled for October 18, 2000 and will have to be rescheduled.

11.1.2 Councillor Sarto

11.1.2(i) Intersection - Mount Edward Road and Lucien Drive

Councillor Sarto requested a Staff Report concerning the possibility of installation of a three-way stop at the intersection of Mount Edward Road and Lucien Drive.

MOVED by Councillors Sarto and Greenough that this matter be referred to staff for a report. MOTION PUT AND PASSED.

11.1.2(ii) School Crosswalk Guard - Cranberry Crescent and Hibernia Court

Councillor Sarto requested a Staff Report concerning placing a school crosswalk guard at Cranberry Crescent and Hibernia Court.

MOVED by Councillors Sarto and Blumenthal that this matter be referred to staff for a report. MOTION PUT AND PASSED.

11.1.3 Councillor Colwell - Proposed Motor Vehicle Accident Cleanup By-law

Councillor Colwell requested a Staff Report with regard to a Proposed Motor Vehicle Accident Clean Up By-law re responsibility for reasonable cleanup at a motor vehicle accident site. The Councillor explained the rationale for his request.

MOVED by Councillors Colwell and Greenough that this matter be referred to staff for a report. MOTION PUT AND PASSED.

11.1.4 Councillor Fougere - Request to Move Info Item #3 from October 3, 2000 to Regular Council Agenda

- Information Report dated October 4, 2000 prepared by Wayne Anstey, Director of Administrative Services was before Council for consideration re Enforcement - Snow and Ice and Unsightly Premises

Councillor Fougere addressed the two issues covered in the report.

Snow and Ice Removal

With regard to removal of snow and ice, there is a problem in Councillor Fougere's District when people do not adequately clear sidewalks. The Councillor asked for a Staff Report on the possibility of having Youth LIVE come and clear sidewalks to allow clear pedestrian and/or wheelchair passage for By-law Enforcement and charge the property owner. Councillor Fougere wanted to see a plan in place before winter sets in.

MOVED by Councillors Fougere and Walker that this matter be referred to staff for a report. MOTION PUT AND PASSED.

Dangerous and Unsightly Premises - Landscaping Issues

Councillor Fougere stated that Council had recently been advised that HRM does not have the ability to remedy unsightly landscaping problems as the former municipalities used to be able to do. The Councillor raised concern that in her District where houses are close together and, when residents neglect their properties, it creates an unsightly

condition. The Councillor requested that staff look at old By-law requirements where people were requested to comply with the general character of a neighbourhood in terms of landscaping and look at the possibility of adding to Dangerous and Unightly Premises the ability to ensure that people do not allow their properties to be neglected in terms of the general property condition as a whole.

MOVED by Councillors Fougere and Kelly that this matter be referred to staff for a report. MOTION PUT AND PASSED.

11.1.5 Councillor Merrigan

11.5.1(i) Discretionary and Capital Funds Prior to the Election

Councillor Merrigan acknowledged there were no hard and fast rules as to what Councillors can do with the above funds during election time. The Councillor requested a staff report to review policies for District Capital Grants and Discretionary Funds in order to come up with a policy that protects Councillors.

MOVED by Councillors Merrigan and Sarto that this matter be referred to staff for a report. MOTION PUT AND PASSED.

11.5.1(ii) Beaver Bank Water and Sewage Infrastructure Funding

Councillor Merrigan, in light of the possibility of a Federal Election in the near future, requested that staff look into what can be done now to get infrastructure program applications underway beforehand to support the on-going problem with sewer and water in the community of Beaver Bank.

MOVED by Councillors Merrigan and Greenough that this matter be referred to staff for a report. MOTION PUT AND PASSED.

11.2 North West Planning Advisory Committee

11.2.1 Project 00086 - Prince's Lodge/Bedford South Master Plan

- Report dated October 11, 2000 prepared by Gail Foisy, Admin/Planning Advisory Committee Coordinator was before Council for its consideration.
- Information Report dated October 11, 2000 prepared for Paul Dunphy, Director of Planning and Development was also before Council for its consideration.

Councillor Kelly advised there was concern and confusion as to the process and perceived outcome. The report from Planning Advisory Committee was asking for

greater clarity and, therefore, the Councillor suggested that this matter be referred back to staff for a further follow-up report and that staff talk to the Planning Advisory Committee to get their input into the perceived approach in dealing with this particular application. To form part of a report to be prepared, the Councillor referred to correspondence containing a resignation from a Planning Advisory Committee member and asked that staff should also address the issues raised in the resignation.

MOVED by Councillors Kelly and Stretch that this matter be referred to staff for a report as indicated.

Councillor Harvey pointed out that Council will have to address criteria for implementing a new Municipal Planning Strategy under a repeal and replace process, which is what is being proposed. Nine hundred acres would be taken from two Municipal Planning Strategies and a new Municipal Planning Strategy created. The Councillor raised the question of the appropriateness of a draft Municipal Planning Strategy being written by consultants paid by the landowners with a second draft being prepared by HRM staff. The Councillor questioned the role of the Planning Advisory Committee in such a process vis-a-vis the Planning Act and Municipal Government Act and the appropriate level of public consultation. All these questions have to be addressed as this was a template for future development; it was important to get it right the first time around.

Councillor Stone asked for comments from staff.

Mr. Austin French, Regional Coordinator, Planning Services advised that the process followed the Public Participation resolution of Council approved in July, 1999; however, in response to issues raised, Planning Advisory Committee has twice looked at the Plan and given staff comments which are being incorporated into revisions which will be brought back to them. Certainly the issue of staff exploring further with North West Planning Advisory Committee as to how they wish the process to evolve was something staff would be happy to do.

Councillor Stone said it was his understanding that this was a new area and the process was to look at making a new Municipal Planning Strategy with consultation and meetings with the public. Staff would take it over after the conceptual plans were looked at by the communities. This has happened to a certain extent and involved five or six landholders. It is not the former Town of Bedford's sole prerogative to deal with it; they would have input the same as anyone else. The process has provided information meetings to date. If the process does not go forward as a whole, the Councillor could see a piecemeal approach and he did not think Council would like to go in that direction. Councillor Stone supported asking staff for another report but, in

his view, there should be a new Municipal Planning Strategy with everyone having an opportunity for input and it should become a staff plan at some point.

Councillor Cooper expressed concern about the credibility of the whole process because he had difficulty with the proponent writing a Municipal Planning Strategy. Normally a Municipal Planning Strategy is drawn up by residents in a community. In this case, there are two sections of two Municipal Planning Strategies which would basically be ripped out of those Municipal Planning Strategies, are undeveloped with no residents for input and the developer has the conceptual plans and is writing the Municipal Planning Strategy to meet those plans. This did not allow the adjacent neighbours in the two Municipal Planning Strategies with much opportunity for input. It was up to Council and the adjacent Plan areas to protect and consider the future development of those areas. The Councillor had great difficulty with proponents writing the Municipal Planning Strategy and drafting the By-law. The Councillor felt there has not been enough consideration of the Planning Advisory Committee and indicated support for a more comprehensive report on the whole process.

Councillor Read stated that Municipal Planning Strategies have a degree of ownership by the people with input. Creating a Planning Strategy for an area that does not have any people results in no public ownership of the concept, plan or policies. The Councillor stated it would be better to keep it as part of the adjacent Planning areas to allow the adjacent residents an opportunity for input and there could ultimately be a Secondary Planning Strategy developed once there are people populating the area. For the time being, he felt the route to go would be to incorporate the concepts for the area into the Planning Strategies of the former Town of Bedford and City of Halifax.

MOVED by Councillors Kelly and Hetherington that this matter be referred to staff for a report, that staff meet with the North West Planning Advisory Committee and take into account, in the report requested, the information that was brought forward by the Planning Advisory Committee member's resignation letter and the points raised by Councillor Harvey. MOTION PUT AND PASSED.

11.3 Chief Administrative Officer

11.3.1 Crossing Guard Request - Circassion Drive at Ellerslie Crescent

- Report dated October 10, 2000 prepared for K. R. Meech, Chief Administrative Officer was before Council for its consideration. The report recommended that the intersection of Circassion Drive and Ellerslie Crescent location does not warrant the need for a school crossing guard.

Councillor Cooper expressed concern with the recommendation and stated that staff seems to have lost the concept of school zones. The Councillor requested a Supplementary Report providing information as to whether or not there are still school zones within Halifax Regional Municipality and, if so, the criteria for establishing school zones such as traffic and distance.

Councillor Sarto asked if there was provision in the Municipal Government Act to area rate for a crosswalk guard.

In response, Mr. Meech advised that this is a legitimate expenditure by the Municipality and could be either recovered through the General tax rate or local area rate. Guidelines and Policies were recently adopted re area rates in the urban area. If the expenditure was going to be covered by an area rate, Mr. Meech indicated a set of guidelines would still be needed as to where and what locations a crosswalk guard would be warranted. It was more appropriate to review the existing policy on crosswalk guards and determine whether or not there is a need for revision.

Mr. Meech referred to the issue that arose recently with regard to present policy re replacement of sidewalks/streets. Mr. Meech suggested that a number of these issues would be best accommodated with a Committee of the Whole meeting.

Councillor Fougere raised the concern that there were not enough crossing guards at the present time to cover all the crosswalks in the Municipality.

MOVED by Councillors Cooper and Greenough that this matter be referred to staff for a report. MOTION PUT AND PASSED.

11.3.2 **Lease of Lot 1E, Hammonds Plains Road for Children's Safety Village to Kiwanis Club of Bedford**

Deleted from the Agenda at a earlier point in the meeting.

12. **MOTIONS** - None

13. **ADDED ITEMS**

13.1 **Councillor McInroy - Oceanview Manor and Seaside Elementary School**

Councillor McInroy explained the present situation with Oceanview Manor and the adjacent Seaside Elementary School resulting in the need for additional playground space at Seaside Elementary School. He emphasized he was not looking for capital recreation project approval at this time.

Mr. David Fowlie, Principal of Seaside Elementary School gave a presentation indicating the need for playground space and proposed that a portion of lands owned by Halifax Regional Municipality to the north could be used as a suitable field for soccer or other related activities. He asked for consideration and support from Council to speed up the project to enable the school to have a suitable area for the students to play in a safe location.

MOVED by Councillors McInroy and Cooper that staff proceed to identify approximately an acre that is relatively level of the adjacent field owned by the Municipality for immediate lease for a nominal sum that can be used immediately for students of Seaside Elementary School and that a staff report be provided to Council for the next meeting on October 24, 2000. MOTION PUT AND PASSED.

13.2 Councillor Fougere - Signs on Utility Poles

This matter was before Council about six months ago with a request for a Staff Report because of numerous signs on utility poles specifically in Councillor Fougere's area but generally within the Municipality.

Councillor Fougere requested that in addition to the Staff Report requested, she wanted to know if the Municipality had a legal right to remove the signs and how it can be dealt with if the signs are unsightly. The Councillor requested a Staff Report from By-law Enforcement with the additional problem of plastic advertising signs on utility poles.

Councillor Blumenthal also asked that the Staff Report include how to get signs off trees, grass, boulevards as well.

Discussion then took place re signs on utility poles which are owned by Nova Scotia Power. Council questioned why Nova Scotia Power has not done something about this and whether or not they can be cited for unsightly premises. A partnership was suggested between Nova Scotia Power and Youth LIVE in an attempt to get the signs off the poles.

MOVED by Councillors Fougere and Streach that this matter be referred to staff for inclusion in the Staff Report requested on April 4, 2000. MOTION PUT AND PASSED.

13.3 Councillor Mitchell - Subdivision Streets for Paving

Councillor Mitchell requested that Mr. Meech follow up with regard to the meeting with the MLAs.

13.4 **Independent Audit - District 23**

This matter was dealt with earlier in the meeting.

13.5 **Legal Matter - Claim Settlement**

MOVED by Councillors Adams and Hetherington to ratify the recommendation from In Camera to settle the claim negotiated by Halifax Regional Municipality and the Plaintiff in the amount of \$35,000. MOTION PUT AND PASSED.

13.6 **Treatment of Churches in HRM re Solid Waste System**

Councillor Cooper outlined a situation where churches are being considered as commercial establishments as far as waste collection is concerned. The Councillor requested a Staff Report from Solid Waste as to the interpretation of contracts in place, if it is justified as far as churches are concerned and why there was no notification to churches that collections were being stopped.

MOVED by Councillors Cooper and Mitchell that this matter be referred to Solid Waste Management for a report. MOTION PUT AND PASSED.

14. **NOTICES OF MOTION** - None

15. **ADJOURNMENT**

MOVED by Councillors Blumenthal and Hetherington that the meeting adjourn at 8:45 p.m. MOTION PUT AND PASSED UNANIMOUSLY.

Barbara Moar
Assistant Municipal Clerk